

REMARKS

This is a full and timely response to the final Office Action mailed on June 21, 2005 (Paper No. 20050607). Reconsideration and allowance of the Application and present claims are respectfully requested.

I. Response to Claim Objection

Claims 108 and 110 were objected to because of informalities. Applicants have amended the claims and respectfully request that the objections to claims 108 and 110 be withdrawn.

II. Response to Claim Rejection Under 35 U.S.C. § 102

Claims 71-72, 75-80, 82-89, 91-92, 99 and 116 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,005,656 to *Legall, et al.* Applicants respectfully traverse this rejection.

A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art reference disclose each element of the claim. *See, e.g., W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983).

A. Claim 71

Claim 71, as amended, recites:

71. A method implemented by a television set-top terminal (STT) for enabling a user to search for media programs, said method comprising:

receiving by a tuner in the STT media information corresponding to a plurality of respective media programs;
storing the media information in memory in the STT;
providing to the user a search option to search the media information stored in the memory of the STT for media programs with a start time in a user-selected time period and matching a search term, ***wherein the search option further includes at least one search criterion based on whether a media program is a recorded media program residing in the STT***; and

responsive to the user activating the search option, outputting to the television by the STT a portion of the media information stored in the memory, said portion of the media information comprising information corresponding to media programs with respective start times in the user-selected time period and matching the search term, wherein the search term is

different than the start time in the user-selected time period,
***wherein the portion of the media information output by the STT
to the television further identifies at least one media program as
a recorded media program residing in the STT.***

(Emphasis Added)

Applicants respectfully assert that the features of dependent claim 73 have been included in independent claim 71, particularly the feature of “the portion of the media information output by the STT to the television further identifies at least one media program as a recorded media program residing in the STT.” Claim 73 stands rejected under 35 U.S.C. §103(e) as allegedly being unpatentable over *Legall* in view of U.S. Patent No. 5,727,060, to *Young*. Since claim 71 includes features of claim 73, Applicants will provide arguments in relation to the rejection to claim 73.

- i. *Legall* in view of *Young* fails to disclose, teach or suggest the feature of “the portion of the media information output by the STT to the television further identifies at least one media program as a recorded media program residing in the STT” as recited in claim 71

The Office Action admits that “*Legall* fails to explicitly teach where S-100 further identifies at least one media program as a recorded media program residing in the S-100.” In this regard, the Office Action alleges that *Young* “discloses a television schedule system and a TV/VCR unit that identifies recorded program stored in the TV/VCR unit.” In fact, *Young* discloses in col. 1, lines 30-39 the following.

Another aspect of the present invention relates to such a system and process that *creates* a directory of recorded programs by title for easy retrieval and program playback. More particularly, it relates to such a system and process in which the VCR or other recording device is controlled by a simple selection of program title and a record command, even for recording at a future date and time. Most especially, it relates to such a system and process incorporating an intuitive user interface.

(Emphasis Added)

Young apparently discloses that a recorded listing includes a virtual tape directory that is equivalent to a table of contents for a tape recording from a VCR. The virtual tape directory includes a list of titles of recorded programs, a pointer to the start of the program and a cursor

showing the chapter location on the tape. The virtual tape directory is automatically compiled, revised and stored in off-tape memory as the user records over the tape. (*Young*, Fig. 13, col. 10, lines 47-67). Nowhere does *Young* disclose or suggest identifying a media program as a recorded media program that resides in the STT.

Consequently, Applicants respectfully submit that that *Legall* in view *Young* fails to disclose and suggest “the portion of the media information output by the STT to the television further identifies at least one media program as a recorded media program residing in the STT”, (Emphasis added) as recited in claim 71. Consequently, for at least this reason, among others, Applicants respectfully request that claim 71 be allowed and the rejection be withdrawn.

- ii. *Legall* in view of *Young* fails to disclose, teach or suggest the feature of “the search option further includes at least one search criterion based on whether a media program is a recorded media program residing in the STT” as recited in claim 71

As mentioned above, the Office Action admits that “*Legall* fails to explicitly teach where S-100 further identifies at least one media program as a recorded media program residing in the S-100.” In addition, nowhere does *Young* disclose or suggest identifying a media program as a recorded media program that resides in the STT. Consequently, Applicants respectfully submit that that *Legall* in view *Young* further fails to disclose and suggest the feature of “the search option further includes at least one search criterion based on whether a media program is a recorded media program residing in the STT”, (Emphasis added) as recited in claim 71. Consequently, for at least this reason, among others, Applicants respectfully request that claim 71 be allowed and the rejection be withdrawn.

- iii. The combination of *Legall* and *Young* fails to disclose, teach, or suggest each and every element of claim 71

Because *Legall* and *Young* fail to disclose, teach, or suggest the above-emphasized features of claim 71, Applicants respectfully submit that the combination of *Legall* and *Young* also fails to disclose, teach, or suggest each and every element of claim 71. Thus, a *prima facie* case of obviousness is not established based on *Legall* and *Young*. Consequently, for at least this reason, among others, Applicants respectfully request that claim 71 be allowed and the rejection be withdrawn.

B. Claim 87

Claim 87, as amended, recites:

A method implemented by a television set-top terminal (STT) for enabling a user to search for media programs, said method comprising:

- receiving by a tuner in the STT media information corresponding to a plurality of types of television services, said media information comprising a plurality of media programs corresponding to each type of television service in said plurality of types of television services;
- storing in a first memory in the STT the media information;
- outputting to a television by the STT a first presentation comprising an option to select a time period from a plurality of time periods;
- receiving a first user input corresponding to a user-selected time period from the plurality of time periods; and
- responsive to receiving the first user input:
 - outputting to the television by the STT a second presentation comprising a portion of the media information stored in the first memory, said portion of media information corresponding to a plurality of media programs in the user-selected time period; and
 - providing to the user a search option to search the media information stored in the first memory for media programs based on the user-selected time period, ***wherein the search option includes a search criteria based on whether a first type of television service in the plurality of types of television services is available to the user as a purchasable event.***

(Emphasis Added)

The Office Action alleges that *Legall* discloses the above-emphasized feature on col. 3, lines 39-43 and col. 4, lines 5-11, which is provided below:

The sources to be searched 341 are also selectable. Other parameters included in the present embodiment are the program rating 345, program start time 351, program length 352, program cost 343 and the web search engine utilized 347. Once the user selects to proceed with the search, e.g., using "go" button 348 the window is shifted to display the power search result window (e.g., window 210, FIG. 2).

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For example, information such as broadcast categories 415 (news, sports, drama, etc.), cost 416, rating 420, length 422, start time

424, and end time 426 are examples of parameters supplied by the broadcast system for generation of an electronic program guide. This information can be used to generate the filters used to perform the search. All or some of these filters and terms can be used.

Nowhere does *Legall* disclose a search criteria based on whether a first type of television service is available to the user as a purchasable event. Consequently, Applicants respectfully submit that *Legall* fails to teach and disclose the feature of “the search option includes a search criteria based on whether a first type of television service in the plurality of types of television services is available to the user as a purchasable event,” (Emphasis Added) as recited in claim 87. Thus, a *prima facie* case of anticipation is not established based on *Legall*. Consequently, for at least this reason, among others, Applicants respectfully request that claim 87 be allowed and the rejection be withdrawn.

C. Claim 99

Claim 99, as amended, recites:

A method implemented by a television set-top terminal (STT) for enabling a user to search for media programs, said method comprising:
receiving by a tuner in the STT media information corresponding to a plurality of types of television services, said media information comprising of a plurality of media programs corresponding to each type of television service in said plurality of types of television services;
storing in memory in the STT media information;
providing to the user a search option to search the media information stored in the memory of the STT for media programs that satisfy at least one search criterion based on types of television services; and
responsive to the user activating the search option, outputting to the television by the STT a portion of the media information stored in the memory, said portion of the media information corresponding to at least one media program that satisfies the at least one search criterion, wherein said portion of the media information includes an identification of the respective type of television service providing the at least one media program.

(Emphasis Added)

The Office Action alleges that *Legall* discloses “ a CPU of S-100 [that] filters out the search to provide the user with an EPG based on the search term criteria and identifies the respective type of television service providing the media program (figs 2, 3B, Window 220, TBS, HBO, CTN, *etc.*, and corresponding programs, Desperado, NFL Football, *etc.*).” *Legall* appears

to disclose identifying the respective type of television service in a search result based on the search term criteria, but nowhere does *Legall* provides a search option having a search criterion based on types of television services. Consequently, Applicants respectfully submit that *Legall* fails to teach and disclose the feature of “providing to the user a search option to search the media information stored in the memory of the STT for media programs that satisfy at least one search criterion based on types of television services,” (Emphasis Added) as recited in claim 99. Thus, a *prima facie* case of anticipation is not established based on *Legall*. Consequently, for at least this reason, among others, Applicants respectfully request that claim 99 be allowed and the rejection be withdrawn.

III. Response to Claim Rejection Under 35 U.S.C. § 103

Claims 73, 81, and 90 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Legall* in view of *Young*. Claims 93-98 and 103 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Legall* in view of U.S. Patent No. 6,515,710, to *Koshimuta*. Claims 105-107 and 109 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Legall* in view of U.S. Patent No. 6,442,332, to *Knudson, et al.* Claims 100-101 and 111-115 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Legall* in view of U.S. Patent No. 6,561,515, to *Reynolds, et al.* Claims 74 and 102 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Legall* in view of *Young* and further in view of *Reynolds*. Claims 108 and 110 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Legall* in view of *Knudson* and further in view of U.S. Patent No. 6,594,669, to *Sahai, et al.*

In order for a claim to be properly rejected under 35 U.S.C. §103, the teachings of the prior art reference must suggest all steps/elements/features of the claimed invention to one of ordinary skill in the art. *See, e.g., In re Dow Chemical*, 837 F.2d 469, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988); *In re Keller*, 642 F.2d 413, 208 U.S.P.Q. 871, 881 (C.C.P.A. 1981).

A. Claim 93

Claim 93, as amended, recites:

A method implemented by a television set-top terminal (STT) for enabling a user to search for media programs, said method comprising:
receiving by a tuner in the STT media information corresponding to a plurality of respective media programs;
storing in memory in the STT media information;
providing to the user a search option to search the media information stored in the memory of the STT for media programs that satisfy at least one search criterion based on video quality of the media programs; and
responsive to the user activating the search option, outputting to the television by the STT a portion of the media information stored in the memory, said portion of the media information corresponding to at least one media program that satisfies the at least one search criterion, wherein said portion of the media information includes an identification of the respective media quality of the at least one media program.

(Emphasis Added)

- i. *Legal* fails to disclose, teach or suggest the feature of “providing to the user a search option to search the media information stored in the memory of the STT for media programs that satisfy at least one search criterion based on video quality of the media programs” as recited in claim 93

The Office Action admits that *Legall* fails to disclose or teach “identification of respective media quality of at least one media program” and uses *Koshimuta* to remedy *Legall*’s failure. Applicants respectfully submit that *Legall* also fails to disclose or teach the feature of “providing to the user a search option to search the media information stored in the memory of the STT for media programs that satisfy at least one search criterion based on video quality of the media programs” (Emphasis Added), as recited in claim 93.

- ii. *Koshimuta* fails to disclose, teach or suggest the feature of “providing to the user a search option to search the media information stored in the memory of the STT for media programs that satisfy at least one search criterion based on video quality of the media programs” as recited in claim 93

The Office Action alleges that *Koshimuta* “[discloses] a television receiver that determines the video signal format based on data characterizing of the video signal being received and further determines if it’s a HDTV, SDTV, NTSC, *etc.*, video signals (col. 1, lines 9-19, col. 2, line 43-col. 3, line 24, col. 4, line 44-col. 5, line 9).” In fact, *Koshimuta* discloses in col. 1, lines 9-23 as follows:

The present invention relates to a color-difference signal conversion circuit to be employed in a television receiver which can reproduce a component video input signal based on various television systems in addition to a signal based on existing television systems, and in particular to a color-difference signal conversion circuit which can automatically convert, depending on various television systems, the above-mentioned component video input signal into a color-difference signal which is faithful to the colorimetry standard of the input signal. It relates more specifically to a technique that utilizes a functional relationship between transmitted chrominance signals PB and PR and color-difference signals B-Y and R-Y of an external component video input signal.

Nowhere does *Koshimuta* disclose or suggest a search option having a search criterion based on video quality of the media programs. Consequently, Applicants respectfully submit that *Koshimuta* fails to disclose and suggest “providing to the user a search option to search the media information stored in the memory of the STT for media programs that satisfy at least one search criterion based on video quality of the media programs” (Emphasis Added), as recited in claim 93. Consequently, for at least this reason, among others, Applicants respectfully request that claim 93 be allowed and the rejection be withdrawn.

iii. The combination of *Legall* and *Koshimuta* fails to disclose, teach, or suggest each and every element of claim 93

Because *Legall* and *Koshimuta* fail to disclose, teach, or suggest the above-emphasized features of claim 93, Applicants respectfully submit that the combination of *Legall* and *Koshimuta* also fails to disclose, teach, or suggest each and every element of claim 93. Thus, a *prima facie* case of obviousness is not established based on *Legall* and *Koshimuta*. Consequently, for at least this reason, among others, Applicants respectfully request that claim 93 be allowed and the rejection be withdrawn.

B. Claim 105

Claim 105, as amended, recites:

A method implemented by a television set-top terminal (STT) for enabling a user to search for media programs, said method comprising:

storing in memory in the STT media information corresponding to a plurality of respective media programs;

providing to the user a search option to search the media information stored in the memory of the STT for media programs that satisfy at least one search criterion based on entitlement information corresponding to a media program, entitlement information being related to various recording features of the media programs; and

responsive to the user activating the search option, outputting to the television by the STT a portion of the media information stored in the memory, said portion of the media information corresponding to at least one media program that satisfy the at least one search criterion, wherein said portion of the media information includes entitlement information corresponding to the at least one media program.

(Emphasis Added)

- i. *Legal fails to disclose, teach or suggest the feature of “providing to the user a search option to search the media information stored in the memory of the STT for media programs that satisfy at least one search criterion based on entitlement information corresponding to a media program, entitlement information being related to various recording features of the media programs” as recited in claim 105*

The Office Action admits that *Legall* fails to disclose or teach “outputting to the TV media information, which includes entitlement information corresponding to at least one media program” and uses *Knudson* to remedy *Legall*’s failure. Applicants respectfully submit that *Legall* also fails to disclose or teach the feature of “providing to the user a search option to search the media information stored in the memory of the STT for media programs that satisfy at least one search criterion based on entitlement information corresponding to a media program, entitlement information being related to various recording features of the media programs”, as recited in claim 105.

- ii. *Knudson* fails to disclose, teach or suggest the feature of “providing to the user a search option to search the media information stored in the memory of the STT for media programs that satisfy at least one search criterion based on entitlement information corresponding to a media program, entitlement information being related to various recording features of the media programs” as recited in claim 105

The Office Action alleges that *Knudson* “[discloses] program guide system for recording, which includes entitlement information corresponding to each program, identifies the recording entitlement for the program and identifies impermissible recording of the program (figs. 8-10 and col. 9, line 37-col. 10, line 37).” In fact, *Knudson* discloses in the Abstract as follows:

An interactive program guide system is provided. The system facilitates recording of programs selected from the program guide. The system handles the recording and viewing of pay programs, parentally-controlled programs, consecutive programs on different television channels, and programs with and without copy protection. Programs may be recorded using combination television videocassette recorder (TV/VCR) units.

Nowhere does *Knudson* disclose or suggest providing a search option having a search criterion based on entitlement information. Consequently, Applicants respectfully submit that *Knudson* fails to disclose and suggest “providing to the user a search option to search the media information stored in the memory of the STT for media programs that satisfy at least one search criterion based on entitlement information corresponding to a media program, entitlement information being related to various recording features of the media programs”, as recited in claim 105. Consequently, for at least this reason, among others, Applicants respectfully request that claim 105 be allowed and the rejection be withdrawn.

- iii. The combination of *Legall* and *Knudson* fails to disclose, teach, or suggest each and every element of claim 105

Because *Legall* and *Knudson* fail to disclose, teach, or suggest the above-emphasized features of claim 105, Applicants respectfully submit that the combination of *Legall* and *Knudson* also fails to disclose, teach, or suggest each and every element of claim 105. Thus, a *prima facie* case of obviousness is not established based on *Legall* and *Knudson*. Consequently,

for at least this reason, among others, Applicants respectfully request that claim 105 be allowed and the rejection be withdrawn.

IV. Dependent claims

Because independent claims 71, 87, 99, and 105 are allowable over the cited art of record, dependent claims 72, 74-75, 88-92, 94-98, 100-104, and 106-110 are allowable as a matter of law for at least the reason that dependent claims 72, 74-75, 88-92, 94-98, 100-104, and 106-110 contain all features and elements of their respective independent base claim. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988). Accordingly, the rejection to dependent claims 72, 74-75, 88-92, 94-98, 100-104, and 106-110 should be withdrawn for at least this reason, among others.

V. Canceled Claims

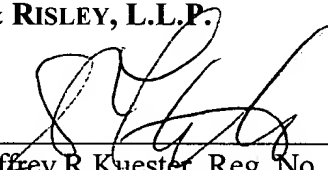
Claims 73, 76-86, and 111-116 are canceled without prejudice, waiver, or disclaimer. Applicants take this action merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the subject matter of these canceled claims in a continuing application, if Applicants so choose, and do not intend to dedicate any of the canceled subject matter to the public.

CONCLUSION

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well-known since the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

Applicants respectfully maintain that the currently pending claims are in condition for allowance. Should the Examiner have any comments or suggestions that would place the subject patent application in better condition for allowance, he is respectfully requested to telephone the undersigned attorney at (770) 933-9500.

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